

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LOUISIANA PACIFIC CORPORATION,

Plaintiff,

No. C 09-03529 JSW

v.

MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER, ET AL.,

**ORDER REGARDING MDL
ACTION**

Defendants.

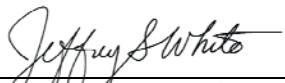
Now before this Court is a joint letter dated December 18, 2009 from the parties requesting the Court's assistance in interpreting an order issued in *In re Merrill Lynch & Co., Inc. August Rate Securities (ARS) Marketing Litigation*, MDL No. 2030, with regard to whether this pending matter (as well as the pending motion filed by Defendant Deutsche Bank Securities Inc. to transfer venue pursuant to 28 U.S.C. § 1404(a)) is properly before this Court or more properly before the MDL Panel in the Southern District of New York.

The Court finds that considering the request would impede the MDL Panel's function and therefore ORDERS that the parties present the matter of whether this case and its pending motion to transfer the matter to the Southern District of New York should be decided by the MDL Panel or this Court. The Court defers to the decision of the MDL Panel as to how to proceed. The parties shall submit a joint report indicating the MDL Panel's determination within two court days of receiving such a determination and this Court shall proceed as

1 instructed.

2 **IT IS SO ORDERED.**

3
4 Dated: December 21, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE